

## SELECTED VIRGINIA LIBRARY LAWS

### Selected Laws Governing the Library of Virginia

**§42.1-1. The Library of Virginia.** – The Library of Virginia is hereby declared an educational institution and an institution of learning. The Library of Virginia shall be the library agency of the Commonwealth, the archival agency of the Commonwealth, and the reference library at the seat of government. It shall have the following powers and duties:

(1) [Repealed.]

(2) To accept gifts, bequests and endowments for the purposes which fall within the general legal powers and duties of The Library of Virginia. Unless otherwise specified by the donor or legator, the Library may either expend both the principal and interest of any gift or bequest or may invest such sums as the Board deems advisable, with the consent of the State Treasurer, in securities in which sinking funds may be invested. The Library shall be deemed to be an institution of higher education within the meaning of § 23-9.2;

(3) To purchase and maintain a general collection of books, periodicals, newspapers, maps, films, audiovisual materials and other materials for the use of the people of the Commonwealth as a means for the promotion of knowledge within the Commonwealth. The scope of the Library's collections shall be determined by the Library Board on recommendation of the Librarian of Virginia, and, in making these decisions, the Board and Librarian of Virginia shall take into account the book collections of public libraries and college and university libraries throughout the Commonwealth and the availability of such collections to the general public. The Board shall make available for circulation to libraries or to the public such of its materials as it deems advisable;

(4) To give assistance, advice and counsel to other agencies of the Commonwealth maintaining libraries and special reference collections as to the best means of establishing and administering such libraries and collections. It may establish in The Library of Virginia a union catalogue of all books, pamphlets and other materials owned and used for reference purposes by all other agencies of the Commonwealth and of all books, pamphlets and other materials maintained by libraries in the Commonwealth which are of interest to the people of the whole Commonwealth;

(5) To fix reasonable penalties for damage to or failure to return any book, periodical or other material owned by the Library, or for violation of any rule or regulation concerning the use of books, periodicals, and other materials in custody of the Library;

(6) To give direction, assistance and counsel to all libraries in the Commonwealth, to all communities which may propose to establish libraries, and to all persons interested in public libraries, as to means of establishment and administration of such libraries, selection of books, retrieval systems, cataloguing, maintenance, and other details of library management, and to conduct such inspections as are necessary;

(7) To engage in such activities in aid of city, county, town, regional and other public libraries as will serve to develop the library system of the Commonwealth;

(8) To administer and distribute state and federal library funds in accordance with law and its own regulations to the city, county, town and regional libraries of the Commonwealth; and

(9) To enter into contracts with other states or regions or districts for the purpose of providing cooperative library services.

Wherever in this title and the Code of Virginia the terms “State Library” or “Library” appear, they shall mean The Library of Virginia. (Code 1950, § 42-33; 1970, c. 606; 1984, cc. 389, 734; 1986, c. 565; 1987, c. 458; 1994, c. 64; 1998, c. 427.)

**§42.1-2. The Library of Virginia under direction of Library Board; membership; chairman and vice-chairman; committees and advisory bodies.**—The Library of Virginia shall be directed by a board, consisting of fifteen members, to be appointed by the Governor, which shall be and remain a corporation under the style of “The Library Board,” sometimes in this chapter called the Board. Prior to such appointments the Board may submit to the Governor lists of candidates based upon interest and knowledge, geographic representation, participation in community affairs, and concern for the welfare appointment from among the nominees of the Board. The Board shall meet and organize by electing from its number a chairman and vice-chairman. It shall have the power to appoint such committees and advisory bodies as it deems advisable. (Code 1950, § 42-34; 1968, c. 122; 1970, c. 606; 1986, c. 565; 1987, c. 458; 1994, c. 64.)

**§42.1-13 Appointment; terms of office; employment; duties.** – The Board shall appoint a librarian, to be known as the Librarian of Virginia, who shall serve at the pleasure of the Board. The Librarian of Virginia shall appoint principal assistants and approve the appointment of other employees. The terms of office and employment of such assistants and employees shall be subject to the personnel regulations of the Commonwealth.

The Librarian of Virginia shall supervise the administration of The Library of Virginia. The Librarian of Virginia shall make requests for appropriations of necessary funds and approve all expenditures of Library funds. Such expenditures shall be made as provided by law. (Code 1950, § 42-48; 1970, c. 606; 1984, c. 444; 1985, c. 397; 1986, c. 565; 1994, c. 64; 1996, c. 812; 1998, c. 427.)

### **Certification Law**

**§42.1-15.1. Qualifications required to hold professional librarian position.** – Public libraries serving a political subdivision or subdivisions having over 5,000 population and libraries operated by the Commonwealth or under its authority, shall not employ, in the position of librarian or in any other full-time professional librarian position, a person who does not meet the qualifications established by the State Library Board.

A professional librarian position as used in this section is one that requires a knowledge of books and of library technique equivalent to that required for graduation from any accredited library school or one that requires graduation from a school of library science accredited by the American Library Association.

No public funds shall be paid to any person whose employment does not comply with this section.

This section shall not apply to law libraries organized pursuant to Chapter 4 (§ 42.1-60 et seq.) of this title, libraries in colleges and universities or to public school libraries. (1988, c. 716.)

## **Selected Networking Laws**

**§ 42.1-32.1 Declaration of intent.** - It is hereby declared to be the policy of the Commonwealth, as part of its provision for public education, to promote the cooperation and networking of all public, academic, special and school libraries throughout the Commonwealth. It is the further intent of this article that none of its provisions shall be construed to interfere with the autonomy of the governing boards of institutions of higher education and the governing boards of public, special and school libraries.

**§ 42.1-32.2 Grants for establishment of library network.** - In order to assist in the development of library cooperation and a library network, the Board shall grant from such appropriations as are made to it for this purpose, funds to assist libraries in preparing for networking and in supporting a library network. The Board shall seek the advice of the State Networking Users Advisory Board, as defined in §42.1-32.7, to guide it in its allocation of such grants and in the establishment of standards and priorities for the network.

**§ 42.1-32.3 Standards for networking.** - Libraries receiving such aid, as is provided by the Board for networking, shall be committed to the standards and priorities established by the Board for interlibrary lending policies between network members, to cooperation in establishing collection development policies and resource sharing for the greatest good of all library users, and to the provision of comprehensive and cost-effective library services to the citizens of Virginia.

**§42.1-32.7 State Networking Users Advisory Board.** – The State Networking Users Advisory Board shall be composed of nine members, to be appointed by the Governor as follows: one academic librarian serving in a public four-year institution of higher education; one academic librarian serving in a private four-year institution of higher education; one academic librarian serving in the Virginia Community College System; one public school librarian; one private school librarian; one librarian serving in a large public library system; one librarian serving in a small public library system; one librarian serving in a library having a specialized focus, such as, but not limited to, a corporate, legal, or medical library; and one librarian serving in an institutional library, such as, but not limited to, a state correctional institution, a mental health facility, or other agency of state government. The terms of office of the Board shall be three years. No person shall serve more than two successive full terms. Any vacancy occurring other than by expiration of terms shall be filled for the unexpired term. Members shall hold office after the expiration of their terms until their successors are duly appointed and have qualified. Appointments to fill an unexpired term shall not be considered a full term. The State Networking Users Advisory Board shall advise the Librarian of Virginia and the State Library Board in the development and direction of the network and its policies, standards, funding levels and requirements for use, after receiving the input of other libraries. The State Networking Users Advisory Board shall meet no less than twice annually. (1983, c. 537; 1985, c. 448; 1986, c. 513; 1991, c. 50; 1998, c. 427.)

## **Laws Governing the Establishment of Public Libraries in Virginia**

**§42.1-33. Power of local government to establish and support libraries.** - The governing body of any city, county or town shall have the power to establish a free public library for the use and benefit of its residents. The governing body shall provide sufficient support for the operation of the library by levying a tax therefor, either by special levy or as a fund of the general levy of the city, county or town. The word "support" as used in this chapter shall include but is not limited to,

purchase of land for library buildings, purchase or erection of buildings for library purposes, purchase of library books, materials and equipment, compensation of library personnel, and all maintenance expenses for library property and equipment. Funds appropriated or contributed for public library purposes shall constitute a separate fund and shall not be used for any but public library purposes.

**§42.1-34. Power of local governments to contract for library service.** - Any city, town or county shall have the power to enter into contracts with adjacent cities, counties, towns, or state-supported institutions of higher learning to receive or to provide library service on such terms and conditions as shall be mutually acceptable, or they may contract for a library service with a library not owned by a public corporation but maintained for free public use. The board of trustees of a free public library may enter into contracts with county, city or town school boards and boards of school trustees to provide library service for schools. Any city or county governing body contracting for library service shall, as a part of such contract, have the power to appoint at least one member to the board of trustees or other governing body of the library contracting to provide such service. Any city or county thus contracting for library service shall be entitled to the rights and benefits of regional free library systems established in accordance with the provisions of 42.1-37. The board of trustees or other governing body of any library established under the provisions of 42.1-33 may also, with the approval of and on terms satisfactory to the State Library Board, extend its services to persons in adjacent areas of other states.

**§42.1-35. Library boards generally.** - The management and control of a free public library system shall be vested in a board of not less than five members or trustees. They shall be appointed by the governing body, chosen from the citizens at large with reference to their fitness for such office. However, one board member or trustee may be a member or an employee of the local governing body. Initially members may be appointed as follows: one member for a term of one year, one member for a term of two years, one member for a term of three years, and the remaining members for terms of four years; thereafter all members shall be appointed for terms of four years. The governing body of any county or city entitled to representation on a library board of a library system of another jurisdiction pursuant to 42.1-34 shall appoint a member to serve for a term of four years, or until the contract is terminated, whichever is shorter. Vacancies shall be filled for unexpired terms as soon as possible in the manner in which members of the board are regularly chosen. A member shall not receive a salary or other compensation for services as a member but necessary expenses actually incurred shall be paid from the library fund. However, the governing body of Fairfax County may pay members of its library board such compensation as it may deem proper. A member of a library board may be removed for misconduct or neglect of duty by the governing body making the appointment. The members shall adopt such bylaws, rules and regulations for their own guidance and for the government of the free public library system as may be expedient. They shall have control of the expenditures of all moneys credited to the library fund. The board shall have the right to accept donations and bequests of money, personal property, or real estate for the establishment and maintenance of such free public library systems or endowments for same.

**§42.1-36. Boards not mandatory.** - The formation and creation of boards shall in no wise be considered or construed in any manner as mandatory upon any city or town with a manager, or upon any county with a county manager, county executive, urban county manager or urban county executive form of government or Chesterfield County, by virtue of this chapter.

**§42.1-37. Establishment of regional library system.** - Two or more political subdivisions (counties or cities), by action of their governing bodies, may join in establishing and maintaining a regional free library system under the terms of a contract between such political subdivisions; provided, that in the case of established county or city free library systems, the library boards shall agree to such action.

**§42.1-38. Agreements to create regional boards.** - Two or more political subdivisions (counties or cities) which have qualified for participation in the state's regional library program, have been recognized as a region by the State Library Board, and have made the minimum local appropriation of funds as may now or hereafter be recommended by the Board, are hereby empowered and authorized to execute contracts with each other to create a regional library board to administer and control the regional library services within the region. Each jurisdiction shall, as a part of such contract, have the power to appoint at least one member to the regional library board.

**§42.1-39. Regional library boards generally.** - The members of the Board of a regional library system shall be appointed by the respective governing bodies represented. If the board of the regional library system is composed of two or more members from each county, city and town that is a part thereof, then each governing body represented on the board may appoint a member or an employee of the governing body to the board. Such members shall in the beginning draw lots for expiration of terms, to provide for staggered terms of office, and thereafter the appointment shall be for a term of four years. Vacancies shall be filled for unexpired terms as soon as possible in the manner in which members are regularly chosen. No appointive member shall be eligible to serve more than two successive terms. A member shall not receive a salary or other compensation for services as member, but necessary expenses actually incurred shall be paid from the library fund. A regional board member may be removed for misconduct or neglect of duty by the governing body making the appointment. The board members shall elect officers and adopt such bylaws, rules and regulations for their own guidance and for the government of the regional free library system as may be expedient. They shall have control of the expenditure of all moneys credited to the regional free library fund. The regional board shall have the right to accept donations and bequests of money, personal property, or real estate for the establishment and maintenance of such regional free library system or endowments for same.

**§42.1-40. Powers of regional library board.** - The regional library board shall have authority to execute contracts with the State Library Board, with the library boards of the respective jurisdictions, and any and all other agencies for the purpose of administering a public library service within the region, including contracts concerning allocation and expenditure of funds, to the same extent as the library board of any one of the jurisdictions which are parties to the agreement would be so authorized. In addition, to effectuate the purposes of this chapter, a regional library board is empowered to sell the surplus assets, including real estate, of the said regional library board if the net proceeds therefrom are used for public library services within the region.

**§42.1-41. Funds and expenses of regional library system.** - The expenses of the regional library system shall be apportioned among the participating political subdivisions on such basis as shall be agreed upon in the contract. The treasurer of the regional library board shall have the custody of the funds of the regional free library system; and the treasurers or other financial officers of the participating jurisdictions shall transfer quarterly to him all moneys collected or appropriated for this purpose in their respective jurisdictions. Such funds shall be expended only for the library service for which the county or city contracted and for no other purpose. The regional library board shall furnish a detailed report of receipts and disbursements of all funds at the regular meeting of the

governing body of every participating jurisdiction after the close of the state's fiscal year. It shall make a similar report to the Library of Virginia. The treasurer of the board shall be bonded for an amount to be determined by the board. The board may authorize the treasurer to pay bond premiums from state aid library funds.

**§42.1-42. Withdrawal from regional library system.** - No county or city participating in a regional library system shall withdraw therefrom without two years' notice to the other participating counties and cities without the consent of such other participating political subdivisions.

**§42.1-43. Appropriation for free library or library service conducted by company, society or organization.** - The governing body of any county, city or town in which no free public library system as provided in this chapter shall have been established, may, in its discretion, appropriate such sums of money as to it seems proper for the support and maintenance of any free library or library service operated and conducted in such county, city or town by a company, society or association organized under the provisions of 13.1-801 through 13.1-980.

**§42.1-44. Cooperative library system for Henrico and Chesterfield Counties and City of Richmond.** - Notwithstanding the repeal of Title 42 of the Code of Virginia, 42-12.1 to 42-12.5 of Chapter 2.1 of former Title 42 are continued in effect and are incorporated into this title by reference.

**§42.1-45. Transfer of properties, etc. of public free library to governing body of city in which it is situated.** - The board of directors or trustees of any public free library established pursuant to Chapter 13, Acts of Assembly, 1924, approved February 13, 1924, may lease, convey, or transfer any interest to its properties, real or personal, to the governing body of the political subdivision in which such library be situated in order that such library may become a part of the public library system of such city, subject to such restrictions and conditions as may be agreed to by such board of directors or trustees and such governing body.

#### **Laws Governing Grants-in-aid to Public Libraries**

**§42.1-46. Library policy of the Commonwealth.** - It is hereby declared to be the policy of the Commonwealth, as a part of its provision for public education, to promote the establishment and development of public library service throughout its various political subdivisions.

**§42.1-47. Grants for development of library service.** - In order to provide State aid in the development of public library service throughout the State, the Library Board, in this chapter sometimes called the Board, shall grant from such appropriations as are made for this purpose funds to provide library service.

**§42.1-48. Grants to improve standards.** - In order to encourage the maintenance and development of proper standards, including personnel standards, and the combination of libraries or library systems into larger and more economical units of service, grants of state aid from funds available shall be made by the Board to any free public library or library system which qualifies under the standards set by the Board. The grants to each qualifying library or system in each fiscal year shall be as follows:

(a) Forty cents of state aid for every dollar expended, or to be expended, exclusive of state and federal aid, by the political subdivision or subdivisions operating or participating in the library or system. The grant to any county or city shall not exceed \$250,000;

(b) A per capita grant based on the population of the area served and the number of participating counties or cities: Thirty cents per capita for the first 600,000 persons to a library or system serving one city or county, and an additional ten cents per capita for the first 600,000 persons for each additional city or county served. Libraries or systems serving a population in excess of 600,000 shall receive ten cents per capita for the excess; and

(c) A grant of ten dollars per square mile of area served to every library or library system, and an additional grant of twenty dollars per square mile of area served to every library system serving more than one city or county.

The Board may establish procedures for the review and timely adjustment of such grants when the political subdivision or subdivisions operating such library or library system are affected by annexation.

**§42.1-49. Grants to municipal libraries.** - Every qualifying municipal library serving an area containing less than 5,000 population shall receive its proper share, but not less than \$400.

**§42.1-50. Limitation of grants; proration of funds.** - The total amount of grants under 42.1-48 and 42.1-49 shall not exceed the amount expended, exclusive of state and federal aid, by the political subdivision or subdivisions operating the library. If the state appropriations provided for grants under 42.1-48 and 42.1-49 are not sufficient to meet approved applications, the Library Board shall prorate the available funds in such manner that each application shall receive its proportionate share of each type of grant. Applications must be received prior to June one of each calendar year.

**§42.1-51. Obligations of libraries and systems receiving aid.** - The obligations of the various library systems and libraries receiving state aid, shall consist of establishing and maintaining an organization as approved by the Board, provided that personnel standards of such library systems and libraries shall conform to the provisions of 42.1-15.1. All books and bookmobiles purchased with state aid funds shall, if the Board so determines, become the property of the Library of Virginia in the case of any library system or library which does not meet its obligations as determined by the Board.

**§42.1-52. Standards of eligibility for aid; reports on operation of libraries; supervision of services.** - The Board shall establish standards under which library systems and libraries shall be eligible for state aid and may require reports on the operation of all libraries receiving state aid.

As long as funds are available, grants shall be made to the various libraries, library systems or contracting libraries applying for state aid in the order in which they meet the standards established by the Board.

In the event that any library meets the standards of the State Library Board but is unable to conform to 42.1-15 relating to the employment of qualified librarians, the Library Board may, under a contractual agreement with such library, provide professional supervision of its services and may grant state aid funds to it in reduced amounts under a uniform plan to be adopted by the State Library Board.

**§42.1-53. Expense of administration.** - Not to exceed thirty percent per annum of appropriations may be used by the Board to defray the expense of administering the provisions of this chapter and to provide other public library extension functions.

**§42.1-54. Procedure for purchase of books, materials and equipment and payment on salaries.** - All proposals for books, materials and equipment to be purchased with state aid funds and all proposals for aid in the payment of salaries of certified librarians shall be submitted for approval to the Library of Virginia by the libraries, library systems or contracting libraries applying for state aid, in form prescribed by the Board, and those approved may be ordered by the libraries, library systems or contracting libraries. Payments and disbursements from the funds appropriated for this purpose shall be made by the State Treasurer upon the approval of the duly authorized representative of the Board, to the libraries, library systems or contracting libraries within thirty days of the beginning of each quarter.

**§42.1-55. Free service available to all.** - The service of books in library systems and libraries receiving state aid shall be free and shall be made available to all persons living in the county, region, or municipality.

**§42.1-56 Meaning of term "books."** - The term "books" as used in this chapter may be interpreted in the discretion of the Board to mean books, magazines, newspapers, appropriate audiovisual materials and other printed matter.

**§42.1-57. Authority of Library Board to accept and distribute federal funds.** - The Library Board is empowered, subject to approval of the Governor, to accept grants of federal funds for libraries and to allocate such funds to libraries under any plan approved by the Board and the appropriate federal authorities. Such allocations shall not be subject to the restrictions of this chapter.

**§42.1-58. Agreements providing for expenditure of federal and matching funds.** - The Library Board and the cities and counties of the Commonwealth are authorized to enter into agreements providing for the supervision of the expenditure of federal funds allocated to such cities and counties and matching funds provided by such political subdivisions. Such agreement shall set forth the standards and conditions with respect to the expenditure of such funds.

### **REQUIREMENTS WHICH MUST BE MET IN ORDER TO RECEIVE GRANTS-IN-AID (VAC 15-110-10)**

In order to qualify for grants-in-aid, all libraries serving more than 5,000 persons must meet the following requirements by July 1, 1992:



1. Be organized under the appropriate section of the *Code of Virginia*. Not more than one library in a county or regional library system or a municipal government unit may receive a grant.
2. Submit to the State Library Board:

Charter, resolution, or other legal papers under which they are organized.

A copy of the by-laws of the board of trustees, a list of trustees, revised as changes occur.

A five-year plan, adopted by the governing body of the library service in the area (areas) served. In order to receive continuing grants, this plan must be updated annually.

A written statement of policy covering such items as: service, personnel, and maintenance of book collections and other materials.

Statistical and financial reports including audits and statements of progress of the plan as requested.

A copy of the budget for the expenditure of local funds, not including anticipated state and federal funds. This must be submitted annually.

3. Have local operating expenditures of at least 50% of the median statewide local operating expenditures per capita, two-thirds of which must be from taxation or endowment. The median shall be recalculated each biennium. Libraries obtaining aid for the first time or those falling below the 50% median must meet the requirement within five years. Libraries which fall below 50% of the median in local expenditures per capita must submit a plan to the State Library Board for reaching the minimum requirement. The plan must include a schedule of annual increases in local expenditures of not less than 20% of the amount needed to attain local per capita expenditures of 50% of the median within five years.

Local operating expenditures from taxation or endowment for any library, or library system, shall not fall below that of the previous year. In cases where the budgets of all the departments of the local government are reduced below those of the previous year, the library's state grant-in-aid would be reduced. The State Library may require that the amount of such reduction in the library's total expenditure be subtracted from the library's eligibility and that the state grant be reduced accordingly. If the library's budget is reduced and other agencies' budgets are not, then the library would receive no state grant-in-aid and would be ineligible for one until local expenditures shall have again reached or exceeded the local effort at the time of the last previous grant.

The library would be ineligible for any federal funds if local funds are reduced below that of the previous year.

Grants-in-aid shall be used as supplements to local funds.

The amount of any undesignated balance in the local operating budget at the end of the fiscal year which exceeds 10% will be subtracted from the grant which is based on that years expenditures.

4. Have certified librarians in positions as required by state law. Libraries failing to employ a certified librarian in the position of director will have their state aid grant reduced by 25%.
5. Keep open a headquarters library or centrally located branch at least 40 hours a week for a full range of library services. This schedule must include at least three consecutive evening hours and appropriate weekend hours. Evening hours are defined as the hours after 5 p.m.
6. Maintain an up-to-date reference collection and set up procedures for securing materials from other libraries through interlibrary loan.
7. Organize materials for convenient use through shelf arrangement, classification and cataloging, and provide a catalog of its resources.
8. Stimulate use of materials through publicity, displays, reading lists, story hours, book talks, book and film discussions and other appropriate means.
9. Lend guidance in all outlets to individuals in the use of informational, educational, and recreational materials.
10. Maintain a collection of currently useful materials by annual additions and systematic removal of items no longer useful to maintain the purposes of quality of its resources. Have a telephone and the number of the telephone listed in the local telephone directory.
11. Provide the basic services listed in this section free of charge to the public as required by law.
12. Every regional, county, and city library serving an area of more than 400 square miles, or more than 25,000 persons, must provide some form of extension service acceptable to the board.
13. If the library system has two or more service units, either branches or stations, it must maintain a scheduled, frequent delivery system.
14. The Library Board may, at its discretion, make exceptions for a specified period of time to any single requirement listed above. The exception will be made only if the library can show that a real effort has been made to meet the requirement and that significant progress has been made toward meeting this requirement.

Approved by the State Library Board, March 13, 1991.

**REQUIREMENTS WHICH MUST BE MET BY LIBRARIES  
SERVING A POPULATION OF LESS THAN 5,000 IN  
ORDER TO RECEIVE STATE GRANTS-IN-AID (17 VAC 15-90-10)**

These requirements must be met by July 1, 1972 when full funding is anticipated.

In order to qualify for state grants-in-aid, all libraries shall meet the following requirements:

1. Be organized under the appropriate section of the *Code of Virginia*.
2. Submit to the State Library Board:

Charter, resolutions, or other legal papers under which they are organized.

A copy of the by-laws of the board of trustees, a list of trustees, revised as changes occur.

A five-year plan, adopted by the governing body of the library (trustees, or equivalent) for the development of library service in the area (areas) served. In order to receive continuing grants, any revisions in this plan must be submitted annually.

A written statement of policy covering such items as: service, personnel, and maintenance of book collections and other materials.

Statistical and financial reports including statements of progress of the plan as requested.

3. All libraries shall meet the following minimum requirements:

Give at least 20 hours of public service per week.

Provide adequate staff, with at least one paid employee working 20 hours a week while library is open.

Have a collection of currently useful books of at least 5,000 volumes.

Provide a minimum of 1,750 square feet of space.

Be located on a site which is conveniently situated for service to the greatest number of people in the area.

Add at least 200 currently useful books per year.

Expend annually at least \$3,000.00 per year in local funds, 2/3 of which must be from taxation or endowment. Local operating expenditures for any library, or library system, shall not fall below that of the previous year. The amount of any undesignated balance at the end of the fiscal year which exceeds 10% of the library's total budget will be subtracted from the grant which is based on that year's expenditures.

Provide an author, subject, and title catalog.

Provide a telephone.

It is strongly recommended that libraries in this category look toward joining larger units of service in order to meet recommended State standards.

Approved by the State Library Board, April 27, 1970

## PUBLIC LIBRARY BOARDS IN VIRGINIA

<b>Name of Library</b>	<b>Number of Members</b>	<b>Governing/ Advisory</b>	<b>Appointing Authority</b>
Alexandria Library	7	Governing	City Council
Amherst County Public Library	6	Governing	Board of Supervisors
Appomattox Regional Library	11	Governing	Boards of Supervisors City Council
Arlington County Public Library	0	N/A	N/A
Augusta County Library	7	Governing	Board of Supervisors
Bedford Public Library	6	Governing	Board of Supervisors
Blue Ridge Regional Library	11	Governing	Boards of Supervisors City Council
Botetourt County Library	5	Governing	Board of Supervisors
Bristol Public Library	11	Governing	City Council (Virginia) City Council (Tennessee)
Buchanan County Public Library	5	Governing	Board of Supervisors
Campbell County Public Library	6	Governing	Board of Supervisors
Caroline Library, Inc.*	14	Governing	Board of Directors
Central Rappahannock Regional Library	9	Governing	Boards of Supervisors City Council
Central Virginia Regional Library*	9	Governing	Board of Directors Board of Supervisors
Charles P. Jones Memorial Library*	12	Governing	Board of Directors Board of Supervisors City Council
Charlotte County Library	7	Governing	Board of Supervisors
Chesapeake Public Library	7	Advisory	City Council
Chesterfield Co. Public Library	0	N/A	N/A
Clifton Forge Public Library	9	Advisory	City Council

<b>Name of Library</b>	<b>Number of Members</b>	<b>Governing/ Advisory</b>	<b>Appointing Authority</b>
Colonial Heights Public Library	7	Advisory	City Council
Culpeper County Library	14	Governing	Board of Supervisors
Cumberland County Public Library*	10	Governing	Board of Directors
Danville Public Library	0	N/A	N/A
Eastern Shore Public Library	5	Governing	Boards of Supervisors
Essex Public Library	12	Governing	Board of Supervisors
Fairfax County Public Library	12	Governing	Board of Supervisors City Council
Fauquier County Public Library	5	Governing	Board of Supervisors
Fluvanna County Library	7	Governing	Board of Supervisors
Franklin County Public Library	7	Governing	Board of Supervisors
Galax-Carroll Regional Library	6	Governing	City Council Board of Supervisors
Gloucester Library	11	Governing	Board of Supervisors
Halifax County–South Boston Regional Library	10	Governing	Board of Supervisors City Council
Hampton Public Library	0	N/A	N/A
The Handley Regional Library	10	Governing	Board of Supervisors City Council
Henrico County Public Library	5	Advisory	Board of Supervisors
Heritage Public Library*	21	Governing	Board of Directors Boards of Supervisors
Highland County Public Library*	7	Governing	Board of Directors
Iris Brammer Public Library	6	Advisory	Town Council
J. Robert Jamerson Memorial Library	5	Governing	Board of Supervisors
James L. Hamner Public Library	20	Governing	Board of Supervisors

<b>Name of Library</b>	<b>Number of Members</b>	<b>Governing/ Advisory</b>	<b>Appointing Authority</b>
Jefferson-Madison Regional Library	9	Governing	Boards of Supervisors City Council
Lancaster Community Library*	12	Governing	Board of Directors Board of Supervisors
L. E. Smoot Memorial Library	9	Governing	Board of Supervisors
Lonesome Pine Regional Library	11	Governing	Boards of Supervisors City Council
Loudoun County Public Library	9	Governing	Board of Supervisors
Lynchburg Public Library <sup>1</sup>	0	N/A	N/A
Madison County Library, Inc.*	12	Governing	Board of Directors
Mary Riley Styles Public Library	7	Advisory	City Council
Mathews Memorial Library	6	Governing	Board of Supervisors
Meherrin Regional Library	10	Governing	Board of Supervisors City Council
Middlesex County Public Library*	16	Governing	Board of Directors
Montgomery-Floyd Regional Library	9	Governing	Boards of Supervisors
Newport News Public Library	13	Advisory	City Council
Norfolk Public Library	9	Governing	City Council
Northumberland Public Library*	14	Governing	Board of Directors Board of Supervisors
Nottoway County Library	5	Governing	Board of Supervisors
Orange County Public Library	10	Governing	Board of Supervisors
Pamunkey Regional Library	10	Governing	Boards of Supervisors
Pearisburg Public Library	8	Advisory	Town Council
Petersburg Public Library	0	N/A	N/A

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<sup>1</sup> Lynchburg's advisory library board is currently inactive.

<b>Name of Library</b>	<b>Number of Members</b>	<b>Governing/ Advisory</b>	<b>Appointing Authority</b>
Poquoson Public Library	7	Advisory	City Council
Portsmouth Public Library	9	Advisory	City Council
Powhatan County Public Library*	5	Governing	Board of Supervisors
Prince William Public Library	9	Governing	Board of Supervisors City Councils
Pulaski County Library	9	Governing	Board of Supervisors
Radford Public Library	5	Governing	City Council
Rappahannock County Library	6	Governing	Board of Supervisors
Richmond County Public Library	7	Governing	Board of Supervisors
Richmond Public Library	9	Governing	City Council
Roanoke City Public Library	11	Advisory	City Council
Roanoke County Public Library	5	Advisory	Board of Supervisors
Rockbridge Regional Library	12	Governing	Board of Supervisors City Council
Rockingham Public Library*	19	Governing	Boards of Directors
Russell County Public Library	9	Governing	Board of Supervisors
Salem Public Library	0	N/A	N/A
Samuels Public Library*	12	Governing	Board of Directors
Shenandoah County Library	13	Governing	Board of Supervisors
Smyth-Bland Regional Library	9	Governing	Boards of Supervisors
Southside Regional Library	6	Governing	Boards of Supervisors
Staunton Public Library	5	Advisory	City Council
Suffolk Public Library	7	Advisory	City Council
Tazewell County Public Library	5	Governing	Board of Supervisors
Virginia Beach Public Library	11	Advisory	City Council

<b>Name of Library</b>	<b>Number of Members</b>	<b>Governing/ Advisory</b>	<b>Appointing Authority</b>
W. C. Rawls Library and Museum	14	Governing	Boards of Supervisors City Council
Washington County Public Library	7	Governing	Board of Supervisors
Waynesboro Public Library	5	Advisory	City Council
Williamsburg Regional Library	8	Governing	Board of Supervisors City Council
Wythe-Grayson Regional Library	8	Governing	Boards of Supervisors
York County Public Library	5	Governing	Board of Supervisors

\* Denotes libraries established as companies, societies, or organizations.



## LIBRARY BILL OF RIGHTS

1. The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.
2. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background or views of those contributing to their creation.
3. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
4. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
5. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
6. A person's right to use a library should not be denied or abridged because of origin, age, background or views.
7. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948

Amended February 2, 1961, June 17, 1967, and January 23, 1980, by the ALA Council

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# ACCESS FOR CHILDREN AND YOUNG PEOPLE TO VIDEOTAPES AND OTHER NON-PRINT FORMATS

## An Interpretation of the **Library Bill of Rights**

Library collections of videotapes, motion pictures, and other non-print formats raise a number of intellectual freedom issues, especially regarding minors.

The interests of young people, like those of adults, are not limited by subject, theme, or level of sophistication. Librarians have a responsibility to ensure young people have access to materials and services that reflect diversity sufficient to meet their needs.

To guide librarians and others in resolving these issues, the American Library Association provides the following guidelines.

The **Library Bill of Rights** says, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views."

**ALA Free Access to Libraries for Minors:** An Interpretation of the **Library Bill of Rights** states:

The "right to use a library" includes use of, and access to, all library materials and services. Thus, practices which allow adults to use some services and materials which are denied to minors abridge use based on age.

. . . It is the parents - and only parents - who may restrict their children - and only their children - from access to library materials and services. People who would rather their children did not have access to certain materials should so advise their children. The library and its staff are responsible for providing equal access to library materials and services for all library users.

Policies which set minimum age limits for access to videotapes and/or other audiovisual materials and equipment, with or without parental permission, abridge library use for minors. Further, age limits based on the cost of the materials are unacceptable. Unless directly and specifically prohibited by law from circulating certain motion pictures and video productions to minors, librarians should apply the same standards to circulation of these materials as are applied to books and other materials.

Recognizing that libraries cannot act *in loco parentis*, ALA acknowledges and supports the exercise by parents of their responsibility to guide their own children's reading and viewing. Published reviews of films and videotapes and/or reference works which provide information about the content, subject matter, and recommended audiences can be made available in conjunction with non-print collections to assist parents in guiding their children without implicating the library in censorship. This material may include information provided by video producers and distributors, promotional material on videotape packaging, and Motion Picture Association of America (MPAA) ratings *if they are included on the tape or in the packaging by the original publisher* and/or if they appear in review sources or reference works included in the library's collection. Marking out or removing ratings information from videotape packages constitutes expurgation or censorship.

MPAA and other rating services are private advisory codes and have no legal standing.\* For the library to add such ratings to the material if they are not already there, to post a list of such ratings with a collection, or to attempt to enforce such ratings through circulation policies or other procedures constitutes labeling, "an attempt to prejudice attitudes" about the material, and is unacceptable. The application of locally generated ratings schemes intended to provide content warnings to library users is also inconsistent with the **Library Bill of Rights**.

\*For information on case law, please contact the ALA Office for Intellectual Freedom. See also: **Statement on Labeling** and **Expurgation of Library Materials**, Interpretations of the **Library Bill of Rights**.

Adopted June 28, 1989, by the ALA Council.

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## **GUIDELINES FOR THE DEVELOPMENT AND IMPLEMENTATION OF POLICIES, REGULATIONS, AND PROCEDURES AFFECTING ACCESS TO LIBRARY MATERIALS, SERVICES, AND FACILITIES**

Publicly supported libraries exist within the context of a body of law derived from the United States Constitution and appropriate state constitutions, defined by statute, and implemented by regulations, policies, and procedures established by their governing bodies and administrations. These regulations, policies, and procedures establish the mission of the library, define its functions, services, and operations and ascertain the rights and responsibilities of the clientele served by the library.

Publicly supported library service is based upon the First Amendment right of free expression. The publicly supported library provides free and equal access to information for all people of the community it serves. Thus, publicly supported libraries are governmental agencies designated as limited public forums for access to information. Libraries that make meeting rooms, exhibit spaces, and/or bulletin boards available for public use are also designated as limited public forums for the exchange of information.

Many libraries adopt administrative policies and procedures regulating the organization and use of library materials, services, and facilities. These policies and procedures affect access and may have the effect of restricting, denying, or creating barriers to access to the library as a public forum, including the library's resources, facilities, and services. Library policies and procedures that impinge upon First Amendment rights are subject to a higher standard of review than may be required in the policies of other public services and facilities.

Policies, procedures, or regulations that may result in denying, restricting, or creating physical or economic barriers to access to the library's public forum must be based on a compelling government interest. However, library governing authorities may place reasonable and narrowly drawn restrictions on the time, place, or manner of access to library resources, services, or facilities, provided that such restrictions are not based upon arbitrary distinctions between individuals or classes of individuals.

The American Library Association has adopted the *Library Bill of Rights* and Interpretations of the *Library Bill of Rights* to provide library governing authorities, librarians, and other library staff and library users with guidelines on how constitutional principles apply to libraries in the United States of America.

The American Library Association's Intellectual Freedom Committee recommends that publicly supported libraries use the following guidelines, based on constitutional principles, to develop policies, regulations and procedures.

Adopted June 28, 1994, by the ALA Intellectual Freedom Committee.

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## Guidelines

All library policies, regulations, and procedures should be carefully examined to determine if they may result in denying, restricting, or creating barriers to access. If they may result in such restrictions, they:

1. should be developed and implemented within the legal framework that applies to the library. This includes: the United States Constitution, including the First and Fourteenth Amendments, due process, and equal treatment under the law; the applicable state constitution; federal and state civil rights legislation; all other applicable federal, state, and local legislation; and applicable case law;
2. should cite statutes or ordinances upon which the authority to make that policy is based, when appropriate;
3. should be developed and implemented within the framework of the Library Bill of Rights and its Interpretations;
4. should be based upon the library's mission and objectives;
5. should only impose restrictions on the access to, or use of library resources, services, or facilities when those restrictions are necessary to achieve the library's mission and objectives;
6. should narrowly tailor prohibitions or restrictions, in the rare instances when they are required, so they are not more restrictive than needed to serve their objectives;
7. should attempt to balance competing interests and avoid favoring the majority at the expense of individual rights, or allowing individual users' rights to interfere materially with the majority's rights to free and equal access to library resources, services and facilities;
8. should avoid arbitrary distinctions between individuals or classes of users, and should not have the effect of denying or abridging a person's right to use library resources, services, or facilities based upon arbitrary distinctions such as origin, age background, or views; In the Library Bill of Rights and all of its Interpretations, it is intended that: "origin" encompasses all the characteristics of individuals that are inherent in the circumstances of their birth; "age" encompasses all the characteristics of individuals that are inherent in their levels of development and maturity; "background" encompasses all the characteristics of individuals that are a result of their life experiences; and "views" encompasses all the opinions and beliefs held and expressed by individuals;
9. should not target specific users or groups of users based upon an assumption or expectation that such users might engage in behavior that will materially interfere with the achievement of substantial library objectives;
10. must be clearly stated so that a reasonably intelligent person will have fair warning of what is expected;
11. must provide a means of appeal;
12. must be reviewed regularly by the library's governing authority and by its legal counsel;
13. must be communicated clearly and made available in an effective manner to all library users;
14. must be enforced evenhandedly, and not in a manner intended to benefit or disfavor any person or group in an arbitrary or capricious manner; Libraries should develop an ongoing staff training program designated to foster the understanding of the legal framework and principles underlying library policies and to assist staff in gaining the skill and ability to respond to potentially difficult circumstances in a timely, direct and open manner. This program should include training to develop empathy and understanding of the social and economic problems of some library users;

15. should, if reasonably possible, provide adequate alternative means of access to information for those whose behavior results in the denial or restriction of access to any library resource, service, or facility.

Adopted June 28, 1994, by the ALA Intellectual Freedom Committee.

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# CHALLENGED MATERIALS

## An Interpretation of the **Library Bill of Rights**

The American Library Association declares as a matter of firm principle that it is the responsibility of every library to have a clearly defined materials selection policy in written form which reflects the **Library Bill of Rights**, and which is approved by the appropriate governing authority.

Challenged materials which meet the criteria for selection in the materials selection policy of the library should not be removed under any legal or extra-legal pressure. The **Library Bill of Rights** states in Article 1 that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation," and in Article 2, that "Materials should not be proscribed or removed because of partisan or doctrinal disapproval." Freedom of expression is protected by the Constitution of the United States, but constitutionally protected expression is often separated from unprotected expression only by a dim and uncertain line. The Constitution requires a procedure designed to focus searchingly on challenged expression before it can be suppressed. An adversary hearing is a part of this procedure.

Therefore, any attempt, be it legal or extra-legal, to regulate or suppress materials in libraries must be closely scrutinized to the end that protected expression is not abridged.

Adopted June 25, 1971; amended July 1, 1981; amended January 10, 1990,  
by the American Library Association Council.

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# EVALUATING LIBRARY COLLECTIONS

## An Interpretation of the **Library Bill of Rights**

The continuous review of library materials is necessary as a means of maintaining an active library collection of current interest to users. In the process, materials may be added and physically deteriorated or obsolete materials may be replaced or removed in accordance with the collection maintenance policy of a given library and the needs of the community it serves. Continued evaluation is closely related to the goals and responsibilities of libraries and is a valuable tool of collection development. This procedure is not to be used as a convenient means to remove materials presumed to be controversial or disapproved of by segments of the community. Such abuse of the evaluation function violates the principles of intellectual freedom and is in opposition to the Preamble and Articles 1 and 2 of the **Library Bill of Rights**, which state:

The American Library Association affirms that all libraries are forums for information and ideas, and the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
3. The American Library Association opposes such "silent censorship" and strongly urges that libraries adopt guidelines setting forth the positive purposes and principles of evaluation of materials in library collections.

Adopted February 2, 1973; amended July 1, 1981, by the ALA Council.

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# DIVERSITY IN COLLECTION DEVELOPMENT

## An Interpretation of the **Library Bill of Rights**

Throughout history, the focus of censorship has fluctuated from generation to generation. Books and other materials have not been selected or have been removed from library collections for many reasons, among which are prejudicial language and ideas, political content, economic theory, social philosophies, religious beliefs, sexual forms of expression, and other topics of a potentially controversial nature.

Some examples of censorship may include removing or not selecting materials because they are considered by some as racist or sexist; not purchasing conservative religious materials; not selecting materials about or by minorities because it is thought these groups or interests are not represented in a community; or not providing information on or materials from non-mainstream political entities.

Librarians may seek to increase user awareness of materials on various social concerns by many means, including, but not limited to, issuing bibliographies and presenting exhibits and programs.

Librarians have a professional responsibility to be inclusive, not exclusive, in collection development and in the provision of interlibrary loan. Access to all materials legally obtainable should be assured to the user, and policies should not unjustly exclude materials even if they are offensive to the librarian or the user. Collection development should reflect the philosophy inherent in Article 2 of the **Library Bill of Rights**: "Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval." A balanced collection reflects a diversity of materials, not an equality of numbers. Collection development responsibilities include selecting materials in the languages in common use in the community which the library serves. Collection development and the selection of materials should be done according to professional standards and established selection and review procedures.

There are many complex facets to any issue, and variations of context in which issues may be expressed, discussed, or interpreted. Librarians have a professional responsibility to be fair, just, and equitable and to give all library users equal protection in guarding against violation of the library patron's right to read, view, or listen to materials and resources protected by the First Amendment, no matter what the viewpoint of the author, creator, or selector. Librarians have an obligation to protect library collections from removal of materials based on personal bias or prejudice, and to select and support the access to materials on all subjects that meet, as closely as possible, the needs and interests of all persons in the community which the library serves. This includes materials that reflect political, economic, religious, social, minority, and sexual issues.

Intellectual freedom, the essence of equitable library services, provides for free access to all expressions of idea through which any and all sides of a question, cause, or movement may be explored. Toleration is meaningless without tolerance for what some may consider detestable. Librarians cannot justly permit their own preferences to limit their degree of tolerance in collection development, because freedom is indivisible.

Adopted July 14, 1982; amended January 10, 1990, by the ALA Council.

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## EXHIBIT SPACES AND BULLETIN BOARDS

### An Interpretation of the **Library Bill of Rights**

Libraries often provide exhibit spaces and bulletin boards. The uses made of these should conform to the **Library Bill of Rights**: Article I states, “Materials should not be excluded because of the origin, background, or views of those contributing to their creation.” Article II states, “Materials should not be proscribed or removed because of partisan or doctrinal disapproval.” Article VI maintains that exhibit space should be made available “on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.”

In developing library exhibits, staff members should endeavor to present a broad spectrum of opinion and variety of viewpoints. Libraries should not shrink from developing exhibits because of controversial content or because of the beliefs or affiliations of those whose work is represented. Just as libraries do not endorse the viewpoints of those whose works are represented in their collection, libraries also do not endorse the beliefs or viewpoints of topics which may be the subject of library exhibits.

Exhibit areas often are made available for use by community groups. Libraries should formulate a written policy for the use of these exhibit areas to assure that space is provided on an equitable basis to all groups which request it.

Written policies for exhibit space use should be stated in inclusive rather than exclusive terms. For example, a policy that the library’s exhibit space is open “to organizations engaged in educational, cultural, intellectual, or charitable activities” is an inclusive statement of the limited uses of the exhibit space. This defined limitation would permit religious groups to use the exhibit space because they engage in intellectual activities, but would exclude most commercial uses of the exhibit space.

A publicly supported library may limit use of its exhibit space to strictly “library-related” activities, provided that the limitation is clearly circumscribed and is viewpoint neutral.

Libraries may include in this policy rules regarding the time, place, and manner of use of the exhibit space, so long as the rules are content-neutral and are applied in the same manner to all groups wishing to use the space. A library may wish to limit access to exhibit space to groups within the community served by the library. This practice is acceptable provided that the same rules and regulations apply to everyone, and that exclusion is not made on the basis of the doctrinal, religious, or political beliefs of the potential users.

The library should not censor or remove an exhibit because some members of the community may disagree with its content. Those who object to the content of any exhibit held at the library should be able to submit their complaint and/or their own exhibit proposal to be judged according to the policies established by the library.

Libraries may wish to post a permanent notice near the exhibit area stating that the library does not advocate or endorse the viewpoints of exhibits or exhibitors.

Libraries which make bulletin boards available to public groups for posting notices of public interest should develop criteria for the use of these spaces based on the same considerations as those outlined above. Libraries may wish to develop criteria regarding the size of material to be displayed, the length of time materials may remain on the bulletin board, the frequency with which material may be posted for the same group, and the geographic area from which notices will be accepted.

Adopted July 2, 1991, by the ALA Council.

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# MEETING ROOMS

## An Interpretation of the **Library Bill of Rights**

Many libraries provide meeting rooms for individuals and groups as part of a program of service. Article VI of the **Library Bill of Rights** states that such facilities should be made available to the public served by the given library “on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.”

Libraries maintaining meeting room facilities should develop and publish policy statements governing use. These statements can properly define time, place, or manner of use; such qualifications should not pertain to the content of a meeting or to the beliefs or affiliations of the sponsors. These statements should be made available in any commonly used language within the community served.

If meeting rooms in libraries supported by public funds are made available to the general public for non-library sponsored events, the library may not exclude any group based on the subject matter to be discussed or based on the ideas that the group advocates. For example, if a library allows charities and sports clubs to discuss their activities in library meeting rooms, then the library should not exclude partisan political or religious groups from discussing their activities in the same facilities. If a library opens its meeting rooms to a wide variety of civic organizations, then the library may not deny access to a religious organization. Libraries may wish to post a permanent notice near the meeting room stating that the library does not advocate or endorse the viewpoints of meetings or meeting room users.

Written policies for meeting room use should be stated in inclusive rather than exclusive terms. For example, a policy that the library’s facilities are open “to organizations engaged in educational, cultural, intellectual, or charitable activities” is an inclusive statement of the limited uses to which the facilities may be put. This defined limitation would permit religious groups to use the facilities because they engage in intellectual activities, but would exclude most commercial uses of the facility.

A publicly supported library may limit use of its meeting rooms to strictly “library-related” activities, provided that the limitation is clearly circumscribed and is viewpoint neutral.

Written policies may include limitations on frequency of use, and whether or not meetings held in library meeting rooms must be open to the public. If state and local laws permit private as well as public sessions of meetings in libraries, libraries may choose to offer both options. The same standard should be applicable to all.

If meetings are open to the public, libraries should include in their meeting room policy statement a section which addresses admission fees. If admission fees are permitted, libraries shall seek to make it possible that these fees are permitted, libraries shall seek to make it possible that these fees do not limit access to individuals who may be unable to pay, but who wish to attend the meeting. Article V of the **Library Bill of Rights** states that “a person’s right to use a library should not be denied or abridged because of origin, age, background, or views.” It is inconsistent with Article V to restrict indirectly access to library meeting rooms based on an individual’s or group’s ability to pay for that access.

Adopted July 2, 1991, by the ALA Council.

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# EXPURGATION OF LIBRARY MATERIALS

## An Interpretation of the **Library Bill of Rights**

Expurgating library materials is a violation of the **Library Bill of Rights**. Expurgation as defined by this interpretation includes any deletion, excision, alteration, editing, or obliteration of any part(s) of books or other library resources by the library, its agent, or its parent institution (if any). By such expurgation, the library is in effect denying access to the complete work and the entire spectrum of ideas that the work intended to express. Such action stands in violation of Articles 1, 2, and 3 of the **Library Bill of Rights**, which state that "Materials should not be excluded because of the origin, background, or views of those contributing to their creation," that "Materials should not be proscribed or removed because of partisan or doctrinal disapproval," and that "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment."

The act of expurgation has serious implications. It involves a determination that it is necessary to restrict access to the complete work. This is censorship. When a work is expurgated, under the assumption that certain portions of that work would be harmful to minors, the situation is no less serious.

Expurgation of any books or other library resources imposes a restriction, without regard to the rights and desires of all library users, by limiting access to ideas and information.

Further, expurgation without written permission from the holder of the copyright on the material may violate the copyright provisions of the United States Code.

Adopted February 2, 1973; amended July 1, 1981; amended January 10, 1990,  
by the ALA Council.

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# FREE ACCESS TO LIBRARIES FOR MINORS

## An Interpretation of the **Library Bill of Rights**

Library policies and procedures which effectively deny minors equal access to all library resources available to other users violate the **Library Bill of Rights**. The American Library Association opposes all attempts to restrict access to library services materials, and facilities based on the age of library users.

Article V of the **Library Bill of Rights** states, “A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.” The “right to use a library” includes free access to, and unrestricted use of, all of the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, the library resources, based solely on the chronological age, educational level, or legal emancipation of users violates Article V.

Libraries are charged with the mission of developing resources to meet the diverse information needs and interests of the communities they serve. Services, materials, and facilities which fulfill the needs and interests of library users at different stages in their personal development are necessary part of library resources. The needs and interests of each library user, and resources appropriate to meet those needs and interests, must be determined on an individual basis. Librarians cannot predict what resources will best fulfill the needs and interests of any individual user based on a single criterion such as chronological age, level of education, or legal emancipation.

The selection and development of library resources should not be diluted because of minors having the same access to library resources as adult users. Institutional self-censorship diminishes the credibility of the library in the community, and restricts access for all library users.

Librarians and governing bodies should not resort to age restrictions on access to library resources in an effort to avoid actual or anticipated objections from parents or anyone else. The mission, goals, and objectives of libraries do not authorize librarians or governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents or legal guardians. Librarians and governing bodies should maintain that parents – and only parents – have the right and the responsibility to restrict the access of their children – and only their children – to library resources. Parents or legal guardians who do not want their children to have access to certain library services, materials, or facilities, should so advise their children. Librarians and governing bodies cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child. Librarians and governing bodies have a public and professional obligation to provide equal access to all library resources for all library users.



Libraries have a professional commitment to ensure that all members of the community they serve have free and equal access to the entire range of library resources regardless of content, approach, format, or amount of detail. This principle of library service applies equally to all users, minors as well as adults. Librarians and governing bodies must uphold this principle in order to provide adequate and effective service to minors.

Adopted June 30, 1972; amended July 1, 1981; July 3, 1991,  
by the ALA Council.

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# LIBRARY INITIATED PROGRAMS AS A RESOURCE

## An Interpretation of the **Library Bill of Rights**

Library initiated programs support the mission of the library by providing users with additional opportunities for information, education, and recreation. Article I of the **Library Bill of Rights** states: "Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves."

Library initiated programs take advantage of library staff expertise, collections, services, and facilities to increase access to information and information resources. Library initiated programs introduce users and potential users to the resources of the library and to the library's primary function as a facilitator of information access. The library may participate in cooperative or joint programs with other agencies, organizations, institutions, or individuals as part of its own effort to address information needs and to facilitate information access in the community the library serves.

Library initiated programs on site and in other locations include, but are not limited to, speeches, community forums, discussion groups, demonstrations, displays, and live or media presentations.

Libraries serving multilingual or multicultural communities make efforts to accommodate the information needs of those for whom English is a second language. Library initiated programs across language and cultural barriers introduce otherwise unserved populations to the resources of the library and provide access to information.

Library initiated programs "should not be proscribed or removed (or canceled) because of partisan or doctrinal disapproval" of the contents of the program or the views expressed by the participants, as stated in Article 2 of the **Library Bill of Rights**. Library sponsorship of a program does not constitute an endorsement of the content of the program or the views expressed by the participants, any more than the purchase of material for the library collection constitutes an endorsement of the contents of the material or the views of its creator.

Library initiated programs are a library resource, and as such, are developed in accordance with written guidelines, as approved and adopted by the library's policy-making body. These guidelines include an endorsement of the **Library Bill of Rights** and set forth the library's commitment to free and open access to information and ideas for all users.

Library staff select topics, speakers, and resource materials for library initiated programs based on the interests and information needs of the community. Topics, speakers, and resource materials are not excluded from library initiated programs because of possible controversy. Concerns, questions, or complaints about library initiated program are handled according to the same written policy and procedures which govern reconsideration of other library resources.

Library initiated programs are offered free of charge and are open to all. Article 5 of the **Library Bill of Rights** states: "A person's right to use a library should not be denied or abridged because of origin, age, background or views."

The "right to use a library" encompasses all of the resources the library offers, including the right to attend library initiated programs. Libraries do not deny or abridge access to library resources, including library initiated programs, based on an individual's economic background and ability to pay.

Adopted January 27, 1982. Amended June 26, 1990, by the ALA Council.

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# RESTRICTED ACCESS TO LIBRARY MATERIALS

## An Interpretation of the **Library Bill of Rights**

Libraries are a traditional forum for the open exchange of information. Attempts to restrict access to library materials violate the basic tenets of the **Library Bill of Rights**.

Historically, attempts have been made to limit access by relegating materials into segregated collections. These attempts are in violation of established policy. Such collections are often referred to by a variety of names, including “closed shelf,” “locked case,” “adults only,” “restricted shelf,” or “high demand.” Access to some materials also may require a monetary fee or financial deposit. In any situation which restricts access to certain materials, a barrier is placed between the patron and those materials. That barrier may be age related, linguistic, economic, or psychological in nature.

Because materials placed in restricted collections often deal with controversial, unusual, or “sensitive” subjects, having to ask a librarian or circulation clerk for them may be embarrassing or inhibiting for patrons desiring the materials. Needing to ask for materials may pose a language barrier or a staff service barrier. Because restricted collections often are composed of materials which some library patrons consider “objectionable,” the potential user may be predisposed to think of the materials as “objectionable” and, therefore, are reluctant to ask for them.

Barriers between materials and the patron which are psychological, or are affected by language skills, are nonetheless limitations on access to information. Even when a title is listed in the catalog with a reference to its restricted status, a barrier is placed between the patron and the publication. (See also statement on Labeling.”)

There may be, however, countervailing factors to establish policies to protect library materials – specifically, for reasons of psychological preservation including protection from theft or mutilation. Any such policies must be carefully formulated and administered with extreme attention to the principles of intellectual freedom. This caution is also in keeping with ALA policies, such as “Evaluating Library Collections,” “Free Access to Libraries for Minors,” and the “Preservation Policy.”

Finally, in keeping with the “Joint Statement on Access” of the American Library Association and Society of American Archivists, restrictions that result from donor agreements or contracts for special collections materials must be similarly circumscribed. Permanent exclusions are not acceptable. The overriding impetus must be to work for free and unfettered access to all documentary heritage.

Adopted February 2, 1973; amended July 1, 1981; July 3, 1991, by the ALA Council.

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## **STATEMENT ON LABELING**

## An Interpretation of the **Library Bill of Rights**

Labeling is the practice of describing or designating material by affixing a prejudicial label and/or segregating them by a prejudicial system. The American Library Association opposes these means of predisposing people's attitudes toward library materials for the following reasons:

1. Labeling is an attempt to prejudice attitudes and as such, it is a censor's tool.
2. Some find it easy and even proper, according to their ethics, to establish criteria for judging publications as objectionable. However, injustice and ignorance rather than justice and enlightenment result from such practices, and the American Library Association opposes the establishment of such criteria.
3. Libraries do not advocate the ideas found in their collections. The presence of books and other resources in a library does not indicate endorsement of their contents by the library.

A variety of private organizations promulgate rating systems and/or review materials as a means of advising either their members or the general public concerning their opinions of the contents and suitability or appropriate age for use of certain books, films, recordings, or other materials. For the library to adopt or enforce any of these private systems, to attach such ratings to library materials, to include them in bibliographic records, library catalogs, or other finding aids, or otherwise to endorse them would violate the **Library Bill of Rights**.

While some attempts have been made to adopt these systems into law, the constitutionality of such measures is extremely questionable. If such legislation is passed which applies within a library's jurisdiction, the library should seek competent legal advice concerning its applicability to library operations.

Publishers, industry groups, and distributors sometimes add ratings to material or include them as part of their packaging. Librarians should not endorse such practices. However, removing or obliterating such ratings - if placed there by or with permission of the copyright holder - could constitute expurgation, which is also unacceptable.

The American Library Association opposes efforts which aim at closing any path to knowledge. This statement, however, does not exclude the adoption of organizational schemes designed as directional aids or to facilitate access to materials.

Adopted July 13, 1951. Amended June 25, 1971; July 1, 1981; June 26, 1990,  
by the American Library Association Council.

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# THE UNIVERSAL RIGHT TO FREE EXPRESSION

## An Interpretation of the **Library Bill of Rights**

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedoms of speech, press, religion, assembly, and association, and the corollary right to receive information.

The American Library Association endorses this principle, which is also set forth in the Universal **Declaration of Human Rights**, adopted by the United Nations General Assembly. The Preamble of this document states that " . . . recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world . . . " and " . . . the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people . . . ”

Article 18 of this document states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19 states:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers.

Article 20 states:

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

We affirm our belief that these are inalienable rights of every person, regardless of origin, age, background, or views. We embody our professional commitment to these principles in the **Library Bill of Rights** and **Code of Professional Ethics**, as adopted by the American Library Association.

We maintain that these are universal principles and should be applied by libraries and librarians throughout the world. The American Library Association's policy on International Relations reflects these objectives: " . . . to encourage the exchange, dissemination, and access to information and the unrestricted flow of library materials in all formats throughout the world."

We know that censorship, ignorance, and limitations on the free flow of information are the tools of tyranny and oppression. We believe that ideas and information topple the walls of hate and fear and build bridges of cooperation and understanding far more effectively than weapons and armies.

The American Library Association is unswerving in its commitment to human rights and intellectual freedom; the two are inseparably linked and inextricably entwined. Freedom of opinion and expression is not derived from or dependent on, any form of government or political power. This right is inherent in every individual. It cannot be surrendered, nor can it be denied. True justice comes from the exercise of this right.

We recognize the power of information and ideas to inspire justice, to restore freedom and dignity to the oppressed, and to change the hearts and minds of the oppressors.

Courageous men and women, in difficult and dangerous circumstances throughout human history, have demonstrated that freedom lives in the human heart and cries out for justice even in the face of threats, enslavement, imprisonment, torture, exile, and death. We draw inspiration from their example. They challenge us to remain steadfast in our most basic professional responsibility to promote and defend the right of free expression.

There is no good censorship. Any effort to restrict free expression and the free flow of information aids the oppressor. Fighting oppression with censorship is self-defeating.

Threats to the freedom of expression of any person anywhere are threats to the freedom of all people everywhere. Violations of human rights and the right of free expression have been recorded in virtually every country and society across the globe.

In response to these violations, we affirm these principles:

- The American Library Association opposes any use of governmental prerogative that leads to the intimidation of individuals which prevents them from exercising their rights to hold opinions without interference, and to seek, receive, and impart information and ideas. We urge libraries and librarians everywhere to resist such abuse of governmental power, and to support those against whom such governmental power has been employed.
- The American Library Association condemns any governmental effort to involve libraries and librarians in restrictions on the right of any individual to hold opinions without interference, and to seek, receive, and impart information and ideas. Such restrictions pervert the function of the library and violate the professional responsibilities of librarians.
- The American Library Association rejects censorship in any form. Any action which denies the inalienable human rights of individuals only damages the will to resist oppression, strengthens the hand of the oppressor, and undermines the cause of justice.
- The American Library Association will not abrogate these principles. We believe that censorship corrupts the cause of justice, and contributes to the demise of freedom.

Adopted by the ALA Council, January 16, 1991.  
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## **POLICY ON CONFIDENTIALITY OF LIBRARY RECORDS\***

The Council of the American Library Association strongly recommends that the responsible officers of each library, cooperative system, and consortium in the United States:

1. Formally adopt a policy which specifically recognizes its circulation records and other records identifying the names of library users to be confidential in nature.
2. Advise all librarians and library employees that such records shall not be made available to any agency of state, federal, or local government except pursuant to such process, order, or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.
3. Resist the issuance or enforcement of any such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction.\*\*

\*Note: See also **ALA Policy Manual 54.16 - Code of Ethics**, point #3, "Librarians must protect each user's right to privacy with respect to information sought or received, and materials consulted, borrowed, or acquired."

\*\*Note: Point 3, above, means that upon receipt of such process, order, or subpoena, the library's officers will consult with their legal counsel to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance; if the process, order, or subpoena is not in proper form or if good cause has not been shown, they will insist that such defects be cured.

Adopted January 20, 1971; revised July 4, 1975, July 2, 1986, by the ALA Council.

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## **SUGGESTED PROCEDURES FOR IMPLEMENTING "POLICY ON CONFIDENTIALITY OF LIBRARY RECORDS"**

When drafting local policies, libraries should consult with their legal counsel to insure these policies are based upon and consistent with applicable federal, state, and local law concerning the confidentiality of library records, the disclosure of public records, and the protection of individual privacy.

Suggested procedures include the following:

1. The library staff member receiving the request to examine or obtain information relating to circulation or other records identifying the names of library users, will immediately refer the person making the request to the responsible officer of the institution, who shall explain the confidentiality policy.
2. The director, upon receipt of such process, order, or subpoena, shall consult with the appropriate legal officer assigned to the institution to determine if such process, order, or subpoena is in good form and if there is a showing of good cause for its issuance.
3. If the process, order, or subpoena is not in proper form or if good cause has not been shown, insistence shall be made that such defects be cured before any records are released. (The legal process requiring the production of circulation or other library records shall ordinarily be in the form of subpoena "duces tecum" [bring your records] requiring the responsible officer to attend court or the taking of his/her deposition and may require him or her to bring along certain designated circulation or other specified records.)
4. Any threats or unauthorized demands (i.e., those not supported by a process, order, or subpoena) concerning circulation and other records identifying the names of library users shall be reported to the appropriate legal officer of the institution.
5. Any problems relating to the privacy of circulation and other records identifying the names of library users which are not provided for above shall be referred to the responsible officer.

Adopted by the ALA Intellectual Freedom Committee, January 9, 1983;  
revised January 11, 1988.

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## **POLICY CONCERNING CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION ABOUT LIBRARY USERS**

The ethical responsibilities of librarians, as well as statutes in most states and the District of Columbia, protect the privacy of library users. Confidentiality extends to "information sought or received, and materials consulted, borrowed or acquired," and includes database search records, reference interviews, circulation records, interlibrary loan records, and other personally identifiable uses of library materials, facilities, or services.

The First Amendment's guarantee of freedom of speech and of the press requires that the corresponding rights to hear what is spoken and read what is written be preserved, free from fear of government intrusion, intimidation, or reprisal. The American Library Association reaffirms its opposition to "any use of government prerogatives which lead to the intimidation of the individual or the citizenry from the exercise of free expression ... [and] encourages resistance to such abuse of government power...." (ALA Policy 53.4). In seeking access or in the pursuit of information, confidentiality is the primary means of providing the privacy that will free the individual from fear of intimidation or retaliation.

Libraries are one of the great bulwarks of democracy. They are living embodiments of the First Amendment because their collections include voices of dissent as well as assent. Libraries are impartial resources providing information on all points of view, available to all persons regardless of age, race, religion, national origin, social or political views, economic status, or any other characteristic. The role of libraries as such a resource must not be compromised by an erosion of the privacy rights of library users.

The American Library Association regularly receives reports of visits by agents of federal, state, and local law enforcement agencies to libraries, where it is alleged they have asked for personally identifiable information about library users. These visits, whether under the rubric of simply informing libraries of agency concerns or for some other reason, reflect an insensitivity to the legal and ethical bases for confidentiality, and the role it plays in the preservation of First Amendment rights, rights also extended to foreign nationals while in the United States. The government's interest in library use reflects a dangerous and fallacious equation of what a person reads with what that person believes or how that person is likely to behave. Such a presumption can and does threaten the freedom of access to information. It also is a threat to a crucial aspect of First Amendment rights: that freedom of speech and of the press include the freedom to hold, disseminate and receive unpopular, minority, "extreme," or even "dangerous" ideas.

The American Library Association recognizes that, under limited circumstances, access to certain information might be restricted due to a legitimate "national security" concern. However, there has been no showing of a plausible probability that national security will be compromised by any use made of unclassified information available in libraries. Thus, the right of access to this information by individuals, including foreign nationals, must be recognized as part of the librarian's legal and ethical responsibility to protect the confidentiality of the library user.

The American Library Association also recognizes that law enforcement agencies and officers may occasionally believe that library records contain information which would be helpful to the investigation of criminal activity. If there is a reasonable basis to believe such records are necessary to the progress of an investigation or prosecution, the American judicial system provides the mechanism for seeking release of such confidential records: the issuance of a court order, following a showing of good cause based on specific facts, by a court of competent jurisdiction.

Adopted July 2, 1991, by the ALA Council

# REQUEST FOR RECONSIDERATION OF LIBRARY MATERIALS

## SAMPLE COMPLAINT FORM

*(This space is used to identify who in your library has authorized use of the form – Director, Board of Trustees, etc., – and to whom to return the form.)*

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

1. Resource on which you are commenting:

<input type="checkbox"/> Book	<input type="checkbox"/> Magazine	<input type="checkbox"/> Audiovisual Resource
<input type="checkbox"/> Newspaper	<input type="checkbox"/> Content of Library Program	<input type="checkbox"/> Other

Title: \_\_\_\_\_

Author/Producer: \_\_\_\_\_

2. What brought this title to your attention?

3. Please comment on the resource as a whole as well as being specific on those matters which concern you. (Use other side if needed.)

Comment:

4. What resource(s) do you suggest to provide additional information on this topic?

Signature \_\_\_\_\_

**ALA OFFICE FOR INTELLECTUAL FREEDOM - CENSORSHIP DATABASE FORM**

Office Use Only

OIF Record No.:

Date of Report:

Filed by:

**I. Object of Challenge:**

Title:

Copyright/Issue Date:

Author/Performer(s):

(last, first name)

Publisher/Producer:

**Print:**    ☐ Book    ☐ Textbook    ☐ Magazine    ☐ Newspaper    ☐ Pamphlet☐ Play    ☐ Student Publications**Non-print:**    ☐ Artwork    ☐ Film    ☐ Photo    ☐ Sound Recording    ☐ Video**Or:**    ☐ Collection    ☐ Exhibit    ☐ Performance    ☐ Speech    ☐ Other:**Grounds For Challenge: (check all applicable)****1. Cultural**☐ Anti-Ethnic☐ Insensitivity☐ Racism☐ Sexism**2. Sexual**☐ Homosexuality☐ Nudity☐ Sex Education☐ Sexually Explicit**3. Values**☐ Anti-Family☐ Offensive Language☐ Political Viewpoint☐ Religious Viewpoint☐ Unsuitable to Age Group**4. Social Issues**☐ Abortion☐ Drugs☐ Occult/Satanism☐ Suicide☐ Violence**5. YOther:** \_\_\_\_\_**II. Initiator of Challenge****Individual:** ☐ Administrator    ☐ Board Member    ☐ Clergy    ☐ Teacher    ☐ Patron**Group:**    ☐ Government    ☐ Pressure Group    ☐ Religious Organization    ☐ Other**Organizations Supporting Challenge:****III. Institution Being Challenged**

Name:

Phone:

Address:

City:

State:

Zip:

**School -Related:**    ☐ School or    ☐ School Library: Grade Level \_\_\_\_\_ to \_\_\_\_\_**Other Library:**    ☐ Academic    ☐ Public    ☐ Prison    ☐ Special**Or:**    ☐ Community    ☐ Museum/Gallery    ☐ Publisher    ☐ Student Group    ☐ Theater  
          ☐ Other**Person Reporting (optional):****Title:****Address/Phone (if different from above):****Please Note:** *This information is for statistical use only, and will be kept confidential.*

Feel free to attach news clippings or other supporting material. Return to: **Office for Intellectual Freedom, 50 East Huron Street, Chicago, IL 60611**

# THE FREEDOM TO READ STATEMENT

## Excerpts

1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority.
2. Publishers, librarians and book sellers do not need to endorse every idea or presentation contained in the books they make available. It would conflict with the public interest for them to establish their own political, moral or aesthetic views as a standard for determining what books should be published or circulated.
3. It is contrary to the public interest for publishers or librarians to determine the acceptability of a book on the basis of the personal history or political affiliations of the author.
4. There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents or to inhibit the efforts of writers to achieve artistic expression.
5. It is not in the public interest to force a reader to accept with any book the prejudgment of a label characterizing the book or author as subversive or dangerous.
6. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.
7. It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a bad book is a good one, the answer to a bad idea is a good one.

*NOTE: "Books" as used in this statement include all kinds of materials acquired for library use.*

A joint statement by the American Library Association and the Association of American Publishers originally issued in May of 1953, and revised in January, 1972.

# **THE NATIONAL PLAN**

## **National Commission on Libraries and Information Science**

The National Commission on Libraries and Information Science was created by an Act of Congress in 1970 as a permanent, independent agency within the executive branch. The commission is charged with recommending to Congress and the President plans for the provision of library and information services and for the coordination of activities at the federal, state, and local levels.

Responsibility for the development of plans to implement the states' policy was given to this commission composed of five librarians, or information specialists, and ten citizens.

In 1979, the NCLIS conducted a White House Conference on Library and Information Services, the first such national forum to discuss library and information needs and how these needs should be met and funded.

In 1988, legislation was passed authorizing a second White House Conference on Libraries. It was held in Washington, D. C. in July 1991. The White House Conference again looked at and set national goals for library service in the country. It focused national attention on library service. It informed and involved many citizens in setting the library agenda for the next decade. Ultimately, it will result in better state and national laws for libraries and in much-needed funding for libraries.

The primary focus of the 1991 conference was three issues:

1. Libraries and our rights in democracy.
2. Libraries and productivity in American business.
3. Libraries and literacy.

The White House Conference is a national citizen's forum on libraries at which the people say what they want their libraries to be and to do. It is a unique national consensus and goal-setting library meeting.



## CONTACTING YOUR LEGISLATOR

**Personal visits.** Face to face discussion is the most effective means of communication. A meeting is more easily arranged early in a session, before pressures build up. Be sure you have a firm appointment.

Take along others -- library director, trustee, Friend, citizen activist, representative of a community organization. Keep the delegation small enough for any easy exchange of viewpoints with the legislator. Leave your card and any written information you have prepared. Follow up with a letter of appreciation and include any additional information suggested by the visit.

**Telephone calls.** Once you have become acquainted with your legislator, telephone calls are appropriate. Make them sparingly because the legislator's time is heavily occupied. Regular contact with the legislator's staff is desirable.

Telephone to ask support before a hearing or floor vote or to convey urgent local concern. Judge how far to push by the reaction.

**Letters.** These are the chief fuel which powers any legislative vehicle. They are read. They elicit response. They represent votes.

Letters may be formal or informal, typewritten or handwritten. They should be composed by you, giving your reasons for your position (and giving the legislator reasons to support it). If you are asking support for a particular bill, cite it by number and author, and give its title or subject matter.

**Telegrams, mail grams, and fax.** These are fast, easy ways to communicate with legislators when the need for action is critical.

### Five Basic Rules for Effective Communication

1. **Be Brief.** A legislator's time is limited. So is yours.
2. **Be Appreciative.** Acknowledge past support and convey thanks for current action.
3. **Be Specific.** Refer to local library needs.
4. **Be Informative.** Give reasons why a measure should be supported.
5. **Be Courteous.** Ask; do not demand or threaten. Be positive but polite.

Adapted from *Ways to Communicate with Legislators*, ALA Washington Office.

## WRITING TO LEGISLATORS

### Helpful Hints

1. Keep the letter short, rarely more than one page. Type if you can; otherwise, write clearly.
2. Write it in your own words and include your own thoughts.
3. Cover only one issue; save other issues for later letters.
4. Show your familiarity with the subject and with the current status of the legislation (mention the bill number if possible.) This will indicate that you are serious about the issue, unlike the casual, uninformed correspondents who produce the bulk constituent mail.
5. Be specific as to what you want your representative to do.
6. Give reasons for your position. Cite your own experience and findings if possible. If the bill has a local impact, indicate that fact so that your representative realizes that the bill has a direct effect on his/her district.
7. Ask your representative a direct question about his/her own position on the bill. You want to receive a clear answer, not a form letter. If you are requesting an appointment, give alternate times if possible, and ask for a reply.
8. Don't mention your membership in any organization unless it is directly related to an experience you are describing. The individual citizen's letter is what counts, not the letter choreographed and inspired by an organization.
9. If you can, mention your legislator's vote on a recent issue to show your awareness of his/her record.
10. In general, be helpful rather than threatening. You can best show your genuine concern for the issue by offering to provide further information on the subject. (After all, information management is our business.)
11. When the legislature is in session, address all letters to your representatives in Washington or the state capitol. At other times, write them in care of their home addresses, if available.
12. Finally, remember: ***Any letter is better than no letter!*** Postcards are second best.

Source: Friends of Libraries U.S.A.

## **ELEVEN POINTS TO EFFECTIVE LOBBYING**

1. Make an appointment to visit your legislator.
2. Identify yourself and/or the organization you represent.
3. Make sure you inform the legislator that you are a registered voter in his/her district, if applicable.
4. Be prepared. Deal in facts. Leave supporting documents.
5. Get your point across in the fewest possible words.
6. Don't argue, name call, or threaten.
7. Give the legislator a chance to express his/her point of view and be a good listener.
8. Don't be afraid to admit ignorance on special points. Say you will find the answer and report back.
9. Even if turned down, leave on a friendly note since you may want to join forces on another issue or get back later on the original issue in question.
10. Give special recognition to the legislators who are known to be on your side, and ask them for advice and help in reaching other legislators.
11. If lobbying with a group, one person should speak on behalf of the group.

Source: Friends of Libraries U.S.A.

## **ETHICS STATEMENT FOR PUBLIC LIBRARY TRUSTEES**

Trustees must promote a high level of library service while observing ethical standards.

Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues or the institution.

It is incumbent on any trustee to disqualify himself or herself immediately whenever the appearance of a conflict of interest exists.

Trustees must distinguish clearly in their actions and statements between their personal philosophy and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree.

A trustee must respect the confidential nature of library business while being aware of and in compliance with applicable laws governing freedom of information.

Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.

Trustees who accept membership on a library board are expected to perform all of the functions of library trustees.

Approved by the PLA Board of Directors and the ALTA Board of Directors, July 8, 1985.

## **GOLDEN RULES FOR BOARD MEMBERS**

1. Leave the actual management of the library to the library director. It is the library director's responsibility to select books, employ the staff, and supervise day-to-day operations.
2. After a policy or rule is adopted by the majority vote of the library board, do not criticize or revoice your opposition publicly.
3. Respect confidential information. Do not divulge information regarding future board actions or plans until such action is officially taken.
4. Observe publicity and information policies of the board and library. Do not give information individually but refer requests to the library director or appropriate representative to interpret policies.
5. Treat staff members and library director in an objective manner. Under no circumstances listen to grievances of staff members or treat individual problems on your own. The library director is in charge of the staff and has administrative control up to the point where a grievance is presented to the library board as a whole.
6. Do not suggest hiring a relative as library employee or two members of the same family.
7. All rules and policies directed to the library director must be approved by a quorum of the board at a regular meeting. Even the chair should abide by this rule.
8. Do not hold board meetings without the library director.
9. Complaints from the public are the library director's responsibility. Continued dissatisfaction and problems should be taken up at the board meeting only if policy revision is necessary or legal ramifications are involved.
10. Assume your full responsibility as a board member. If you are unable to attend meetings regularly and complete work delegated to you, resign so that an active member can be appointed.